

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

GEROLD ESPARZA CENTENO,

Plaintiff,

v.

JOE LOMBARDO, et al.,

Defendants.

Case No.: 2:23-cv-01938-JAD-NJK

**ORDER**

Plaintiff initiated this case without filing an application to proceed *in forma pauperis*, or paying the \$402 filing fee. *See* Docket No. 1. The Court directed Plaintiff to file a complete application to proceed *in forma pauperis*, or pay the \$402 filing fee, by February 9, 2024. Docket No. 3. Plaintiff filed several documents, but he failed to file an application to proceed *in forma pauperis*. The Court extended the deadline for Plaintiff to file a complete application to proceed *in forma pauperis* until March 15, 2024. Docket No. 9. Plaintiff filed several requests for a further extension, which the Court granted. Docket No. 13. Plaintiff has now filed a financial certificate and a copy of his trust fund account statement for the previous six-month period, but he has not filed an application to proceed *in forma pauperis*. In light of Plaintiff's *pro se* status, and the fact that he filed a financial certificate and trust fund account statement, the Court will grant Plaintiff one final opportunity to file a complete application to proceed *in forma pauperis*.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). The fee for filing a civil-rights action is \$402, which includes the \$350 filing fee and the \$52 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that

1 is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is  
2 page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail  
3 official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the**  
4 **previous six-month period**. See 28 U.S.C. § 1915(a)(1)–(2); LSR 1-2. *In forma pauperis* status  
5 does not relieve an inmate of his or her obligation to pay the filing fee, it just means that the inmate  
6 can pay the fee in installments. See 28 U.S.C. § 1915(b).

7 Accordingly, for the reasons stated above,

8 IT IS ORDERED that, no later than **June 10, 2024**, Plaintiff must either pay the full \$402  
9 filing fee or file a fully complete application to proceed *in forma pauperis* with the Plaintiff's two  
10 signatures on page 3.

11 IT IS FURTHER ORDERED that, if Plaintiff fails to timely comply with this order, this  
12 action will be subject to dismissal without prejudice. A dismissal without prejudice allows  
13 Plaintiff to refile the case with the Court, under a new case number, when Plaintiff can file a  
14 complete application to proceed *in forma pauperis* or pay the required filing fee.

15 The Clerk of the Court is **INSTRUCTED** to send Plaintiff the approved form application  
16 to proceed *in forma pauperis* for an inmate and instructions for the same.

17 IT IS SO ORDERED.

18 DATED: May 13, 2024.

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22 NANCY J. KOPPE  
23 UNITED STATES MAGISTRATE JUDGE  
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